

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

**Jonathan Kastenbaum, Administrator of
the Estate of MAKRUFATUL YETI SRIANINGSIH, deceased,**

Plaintiff,
v.
Civil Action No.: 1:23-cv-00051-CMH-WEF

THE BOEING COMPANY,
**Removed from the Circuit Court for the County
of Arlington, Virginia, Case No. CL23000091-00**
Defendant.

PLAINTIFF'S MOTION TO REMAND

Plaintiff, Jonathan Kastenbaum, Administrator of the Estate of MAKRUFATUL YETI SRIANINGSIH, deceased, ("Plaintiff") through undersigned counsel and pursuant to 20 U.S.C. § 1447, moves for an Order remanding this case to the Circuit Court of Arlington County, Virginia, because The Boeing Company failed to meet the stringent burden of demonstrating that federal jurisdiction exists on either of the bases claimed in its Notice: admiralty jurisdiction pursuant to 28 U.S.C. § 1333, or diversity jurisdiction pursuant to 28 U.S.C. 1332(a).

WHEREFORE, for the foregoing reasons, Plaintiff respectfully requests that this Court remand this action to the Circuit Court of Arlington County, Virginia.

Dated: February 6, 2023

Respectfully submitted,

By: /s/ Ashley T. Davis, Esq.
By Counsel

Ashley T. Davis, Esq. (VSB No. 68078)
Derrick L. Walker, Esq. (VSB No. 46490)
ALLEN, ALLEN, ALLEN & ALLEN P.C.
1809 Staples Mill Road
P.O. Box 6855
Richmond, Virginia 23230
Phone/E-Fax (Ms. Davis) 804-257-7526
Phone/E-Fax (Mr. Walker): 804-257-7514
ashley.davis@allenandallen.com
derrick.walker@allenandallen.com

Steven C. Marks, Esq. (to be admitted pro hac vice)
FL Bar No. 516414
Pablo Rojas, Esq. (to be admitted pro hac vice)
FL Bar No. 1022427
PODHURST, ORSECK, P.A.
One S.E. Third Avenue, Suite 2300
Miami, FL 33131
Firm: (305) 358-2800
Direct (Mr. Marks): (305) 439-1401
Direct (Mr. Rojas): (240) 863-4893
Fax: (305) 358-2382
Smarks@podhurst.com
Projas@podhurst.com

Attorneys for Plaintiff